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NO. 248 P. 33

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Alan Smith

FAX NO.

410-455-5562

P. 02

P-4

FAX NO.

P. 05

DOCKET NO: 216499USCONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

ALAN K. SMITH, ET AL.

SERIAL NO: 10/668,214

FILED: SEPTEMBER 24, 2004

FOR: HUMAN LINEAGE COMMITTED
CELL COMPOSITION WITH ENHANCED
PROLIFERATIVE POTENTIAL,
BIOLOGICAL, EFFECTOR FUNCTION,
OR BOTH; METHODS FOR OBTAINING
SAMPLE; AND THEIR USES

: EXAMINER: BELYAVSKY, M

: GROUP ART UNIT: 1644

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DECLARATION UNDER 37 C.F.R. 1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Mr. Alan K. Smith who states that:

1. I along with Mr. Douglas M. Smith and Mr. Ranakumar K. Mandalam are the named inventors of the above-identified application for patent.
2. Mr. Douglas M. Smith, Mr. Ranakumar K. Mandalam, and I are authors, along with G.C. Goris, T.C. Jensen, K.H. Stetler, and D.A. Brott of a meeting abstract for the American Society of Hematology, 39th Annual Meeting, December 5-9, 1997 published in the journal *Blood* on November 15, 1997.
3. The title of this meeting abstract is "Clinical scale expansion of dendritic cells in a continuously perfused bioreactor system."

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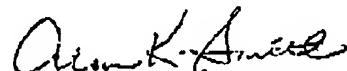
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P. 06

Application No. 10/663,214

4. As is customary in research, G.C. Gorgas, T.C. Jensen, K.H. Hastic, and D.A. Brott were named as co-authors on this meeting abstract but did not contribute to the conception of the invention disclosed and claimed in the application.

5. G.C. Gorgas, T.C. Jensen, K.H. Hastic, and D.A. Brott were working under our direction and supervision.

6. The undersigned declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.



Alan K. Smith

3/13/06

Date

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